

EXHIBIT 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: 04-CV-397
: November 17, 2011
: 500 Pearl Street
: New York, New York
: PALESTINE LIBERATION ORGANIZATION, et al, :
: Defendants. :
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TRANSCRIPT OF CIVIL CAUSE FOR CONFERENCE
BEFORE THE HONORABLE RONALD L. ELLIS
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: ROBERT J. TOLCHIN, ESQ.
AARON SOLOMON, ESQ.
Berkman Law Office
111 Livingston Street
Brooklyn, NY 11201

For the Defendants: BRIAN A. HILL, ESQ.
Miller & Chevalier, Chtd.
655 15th Street, North West #900
Washington, DC 20005

Court Transcriber: MARY GRECO
TypeWrite Word Processing Service
211 N. Milton Road
Saratoga Springs, NY 12866

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1 that we sought the court, I'd just go ahead and memorialize
2 that in an order.

3 The plaintiffs have asked that conditions be attached
4 to the order, specifically that they only come once for
5 depositions and Rule 35 exams. We're obviously willing to try
6 and coordinate this as much as possible but we don't think that
7 should be ordered because it would essentially give the
8 plaintiffs a veto over the ability to proceed with the case in
9 an orderly fashion and we're still waiting on a lot of material
10 from the plaintiffs about their damages. So at this point I'm
11 uncertain as to when depositions and Rule 35 exams are going to
12 happen.

13 THE COURT: Okay. With respect to that, do you have
14 a disagreement?

15 MR. TOLCHIN: There's a lot in there. We agree about
16 coming to New York, we agree about that we would like them to
17 only have to make one international flight for their deposition
18 and examination. There are a few plaintiffs who it's not as
19 big an issue for because they're much more local. It's one
20 thing to fly in from Israel, it's another thing to come in from
21 New Jersey. I would not stick to the you only have to make one
22 trip obviously for people who are more local.

23 As to the damages information, we provided the
24 defendants with medical records that we had but those were
25 gathered several years ago. Aaron here has been methodically

1 attempting to communicate with each and every plaintiff which
2 is easier said than done because quite a few of the plaintiffs
3 have emotional difficulty dealing with this case because of the
4 nature of the case. But we have pared down claims removing,
5 you know, we've advised the defendant we've removed, for
6 example, people who decided that, for example, lost wages
7 claims are not worth pursuing for whatever reason. We are
8 gathering information about what additional medical providers
9 there may be that we didn't know about that we didn't have
10 records from what was gathered several years ago. We are well
11 in the process of obtaining from each of the plaintiffs medical
12 record authorizations so that we could obtain those additional
13 documents and we will be providing the defendant with
14 authorizations so that they could obtain them as well whether
15 by subpoena or just by request. That process is well under
16 way.

17 So it depends on doctors' offices. I can't tell you
18 we will have all the documents by X date because really it's
19 documents from doctors' offices, but they do deal with --
20 doctors' offices do field requests for medical records all the
21 time and it's not going to go on forever.

22 THE COURT: Okay. I'm not sure which point you were
23 addressing there to tell you the truth. He was talking about
24 the Rule 35 and the deposition. The damages information,
25 you're talking about that as a prelude to the deposition?